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Jul. 21. 2005 3:28PM KNOBLE YOSHIDA & DUNLEAVY LLC No. 6512 P. 1

JUL 21 2005

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**
Docket No.
BERE-1002US

In Re Application Of: Price et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/402,446	01/18/2000	Jana A. Hines	21302	1645	5954

Invention: INTRAVENOUS IMMUNE GLOBULIN FORMAULATIONS CONTAINING A NON-IONIC SURFACE ACTIVE AGENT WITH IMPROVED PHARMACOKINETIC PROPERTIES

COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of May 31, 2005 In the above-identified application.

Date
Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated May 31, 2005 finally rejecting Claim(s) 74-80

Applicant(s) hereby request(s) an extension of time of (check desired time period):

One month Two months Three months Four months Five months

from: May 24, 2005 until: July 24, 2005
Date

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$500.00

Fee for Extension of Time: \$450.00

TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$950.00

The fee for the Notice of Appeal and extension of time is to be paid as follows:

- A check in the amount of _____ for the Notice of Appeal and extension of time is enclosed.
- Please charge Deposit Account No. 50-0462 in the amount of \$950.00
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0462
 - Any additional filing fees required under 37 C.F.R. 1.16.
 - Any patent application processing fees under 37 CFR 1.17.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-0462
- Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Invention: INTRAVENOUS IMMUNE GLOBULIN FORMAULATIONS CONTAINING A NON-IONIC SURFACE ACTIVE AGENT WITH IMPROVED PHARMACOKINETIC PROPERTIES
TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:



Signature

Dated:

7/21/05

Tod A. Kupstas; Reg. No. 54,917
KNOBLE YOSHIDA & DUNLEAVY, LLC
EIGHT PENN CENTER, SUITE 1350
1628 JOHN F. KENNEDY BOULEVARD
PHILADELPHIA, PA 19103

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a) on

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